GOVERNMENT OF MYSORE.

Legislative Department.

NOTIFICATION.

No. L.D. 2308—Legis. 3-51-48, dated Bangalore, 8th March 1952.

Ordered that the Industrial Disputes (Amendment) Bill, 1952 (Central Bill No. 16 of 1952), published in the *Gazette of India*, Part II, Section 2, dated the 23rd February 1952, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

N. R. JAYA RAO,
Legal Remembrancer and Secretary to Government, Law Department.

The following Bills were introduced in Parliament on the 15th February, 1952 :—

BILL NO. 16 OF 1952.

A Bill further to amend the Industrial Disputes Act, 1947.

BE it enacted by Parliament as follows :—

1. Short title.—This Act may be called the Industrial Disputes (Amendment) Act, 1952.

2. Amendment of section 2, Act XIV of 1947.—To clause (*i*) of section 2 of the Industrial Disputes Act, 1947 (hereinafter referred to as the principal Act), the following proviso shall be added, namely :—

" Provided that no person shall cease to be independent by reason only of the fact that he is a shareholder of an incorporated company which is connected with, or likely to be affected by, such industrial dispute; but in such a case, he shall disclose to the appropriate Government the nature and extent of the shares held by him in such company."

3. Amendment of section 10, Act XIV of 1947.—In section 10 of the principal Act,—

(*a*) in sub-section (*1*)—

(*i*) for the words " If any industrial dispute exists or is apprehended, the appropriate Government may" the words " Where the appropriate Government is of opinion that any industrial dispute exists or is apprehended, it may at any time" shall be substituted ;

(*ii*) in clause (*c*), after the words " refer the dispute" the words " or any matter appearing to be connected with, or relevant to, the dispute" shall be inserted ; and

(*b*) after sub-section (*3*), the following sub-sections shall be inserted, namely :—

" (*4*) Where in an order referring an industrial dispute to a Tribunal under this section or in a subsequent order, the appropriate Government has specified the points of dispute for adjudication, the Tribunal shall confine its adjudication to those points and matters incidental thereto.

520

(5) Where a dispute concerning any establishment or establishments has been, or is to be, referred to a Tribunal under this section and the appropriate Government is of opinion, whether on an application made to it in this behalf or otherwise, that the dispute is of such a nature that any other establishment, group or class of establishments of a similar nature is likely to be interested in, or affected by, such dispute, the appropriate Government may, at the time of making the reference or at any time thereafter but before the submission of the award, include in that reference such establishment, group or class of establishments, whether or not at the time of such inclusion any dispute exists or is apprehended in that establishment, group or class of establishments."

4. Amendment of section 20, Act XIV of 1947.—In sub-section (3) of section 20 of the principal Act, for the words, figures and brackets "when the award is published by the appropriate Government under section 17, or where an award has been laid before the Legislative Assembly or the House of the People under the proviso to sub-section (2) of section 15, when the resolution of the Legislative Assembly or the House of the People thereon is passed", the words, figures and letter "on the date on which the award becomes enforceable under section 17A" shall be substituted.

5. Repeal of Ordinance IX of 1951.—(1) The Industrial Disputes (Amendment) Ordinance, 1951 (IX of 1951), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said Ordinance shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act were in force on the day on which such thing was done or action was taken.

STATEMENT OF OBJECTS AND REASONS.

The Industrial Disputes (Amendment) Bill, 1952 seeks to make certain changes in the law relating to the adjudication of industrial disputes which experience has shown are urgently required in order to remove doubts and to reduce litigation. The question whether a person holding shares in an establishment can be deemed to be "independent" for the purpose of appointment on a tribunal called upon to adjudicate on a dispute affecting that establishment was recently raised and was held to be not free from doubts. The Bill seeks to remove the disqualification, if any, attaching to the holding of shares. Occasionally when disputes arise in the large majority of units of an industry, it becomes necessary to include in the adjudication even the few units which show no evidence of the existence of actual disputes but which, if left out, are sure to raise disputes of their own. Power is sought to be taken for such inclusion.

JAGJIVAN RAM.

NEW DELHI;
The 9th February, 1952.

Printed by the Director of Printing, Stationery and Publications at the Government Press, Bangalore.